THE HONOURABLE SRI JUSTIVE C.V. RAMULU

WRIT PETITION NO. 20788 OF 2006

DATED: 18-11-2006

BETWEEN:

Smt. Usha Kiran
D/o. Ramesh Kumar

... Petitioner

And

The District Supply Officer,(City),
Hyderabad and another

... Respondents

THE HONOURABLE SRI JUSTIVE C.V. RAMULU

WRIT PETITION NO. 20788 OF 2006

ORDER:

This writ petition is filed seeking a Mandamus declaring the order passed by the first respondent in B1/4397/606 dated 21.09.2006 in proceedings No.146/2006 as arbitrary and illegal.

Heard the learned counsel for the petitioner and the learned Government Pleader for Civil Supplies and perused the record.

It appears that the petitioner is the fair price shop dealer of Shop.No.761 of Sri Ram Nagar, Borabanda, Hyderabad. While so, her authorization was suspended by the District Supply Officer, City, Hyderabad(1st respondent) through his proceedings B1/4397/606 dated 21-09-2006 on the ground that some unauthorized person was found conducting the business and a confession statement to that effect has also been obtained at the time of inspection. Except this, no other allegations are made. The Petitioner, however, submitted her representation to the first respondent stating that she is a pregnant, therefore, she is not

able to go to the shop regularly, and since few days she is taking the help of her brother in running the shop.

In view of the above, I am of the opinion that the charges leveled against the petitioner are trivial and therefore, they do not require any suspension of the authorization of the petitioner. It is always open for the authorities to conduct an enquiry into such matter, but for such trivial things, suspension is unwarranted. Therefore, the impugned order is liable to be set aside.

In the result, the writ petition is allowed setting aside the order impugned. No costs.

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18-11-2006

Rns.

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